

CONCURRENCE IN SENATE AMENDMENTS

AB 1440 (Committee on Environmental Safety and Toxic Materials)

As Amended August 19, 2026

Majority vote

SUMMARY

Extends the sunset, from January 1, 2027, to January 1, 2030, on the data reporting and medical supervisor registration requirements of the agricultural pesticide worker protection program known as the California Medical Supervision Program (Program).

Senate Amendments

Extend the sunset from 2029 to 2030.

COMMENTS

Organophosphate and carbamate (OP/CB) pesticide exposure: According to the Department of Pesticide Regulation (DPR), OPs/CBs work as pesticides by inhibiting the nerve enzyme cholinesterase, leading to the death of an insect. OPs and CBs can also affect humans by inhibiting cholinesterase. High exposure to OPs/CBs can cause a variety of acute symptoms of neurological poisoning in people, including blurred vision, diarrhea, increased respiratory secretions, tremors, seizures, loss of consciousness, and death. The acute symptoms of OP/CB overexposure can sometimes mimic other illnesses, and people can be sub-clinically affected without showing major acute symptoms. Due to the potential for sub-clinical effects or misdiagnosis of the acute effects, tests for cholinesterase depression are essential for identifying potential overexposure.

Toxicity Category 1 and 2 OP/ CB pesticides: The United States Environmental Protection Agency (U.S. EPA) determines pesticide toxicity categories based on the effects of consumption of, inhalation of, or dermal contact with a pesticide. The degree of toxicity determines which precautions and signal word must appear on the pesticide label. Toxicity Category 1 pesticides are highly toxic and severely irritating, while Toxicity Category 2 pesticides are moderately toxic and moderately irritating. Although the use of Toxicity Category 1 and 2 OP/ CB pesticides in California has declined 90% since 1995, growers still applied an average of 1.8 million pounds per year of these cholinesterase-inhibiting pesticides from 2014 to 2023. Employers of handlers of Toxicity Category 1 and 2 OP/ CB pesticides are required to monitor their employees' cholinesterase under the Program.

California Medical Supervision Program (Program): Established in 1974, the Program is intended to protect pesticide handlers from excessive exposure to Toxicity Category 1 and 2 OPs and CBs. The goal of the program is to monitor blood cholinesterase activity levels of workers in order to identify and prevent excessive pesticide exposure and the resulting pesticide-related illness. Under the Program, employers must contract with a licensed physician as a "medical supervisor" to test the blood cholinesterase level of workers who regularly handle these pesticides. To monitor each employee, the medical supervisor establishes baseline values of cholinesterase during non-exposure periods, and then periodically measures cholinesterase activity levels while the worker handles OPs/CBs. If the employee's cholinesterase is depressed below certain levels, the employer must take immediate specified actions, such as promptly retesting the employee, evaluating the employee's work practices, or immediately removing the employee from further exposure.

Reporting requirements: While the Program had been in existence for more than 30 years, prior to 2010 the State had received very little information from the field to determine whether the Program was effective. Assembly Bill (AB) 1963 (Nava), Chapter 369, Statutes of 2010 requires laboratories that conduct cholinesterase tests as a part of the Program to report test results to DPR. The results are then analyzed by DPR and the Office of Environmental Health Hazard Assessment (OEHHA), in consultation with the Department of Public Health. These provisions are meant to give the State a better idea of whether workers are actually being protected in the field and whether the Program is working as intended.

Registration requirements: In response to a report on the Program produced by DPR and OEHHA in 2022, the legislature passed, and the governor signed, AB 2892 (ESTM Committee, Chapter 475, Statutes of 2016), which, among other provisions, required OEHHA to establish a procedure for registering and deregistering medical supervisors and to establish requirements for their performance; and, codified the requirement that an employer of employees who regularly handle OPs/CB pesticides contract with a medical supervisor registered with OEHHA.

The data reporting and registration requirements of the Program currently sunset on January 1, 2027.

This bill: This bill extends the sunset, from January 1, 2027, to January 1, 2030, on the data reporting and medical supervisor registration requirements of the Program.

According to the Author

"The Program is designed to protect agricultural workers who regularly mix, load, or apply Toxicity Category 1 and 2 OPs/CBs, which are highly toxic pesticides that inhibit the nerve enzyme, cholinesterase. Under the Program, employers must contract with a medical supervisor to monitor their workers for overexposure to OP/CB pesticides by testing workers' blood cholinesterase activity levels. If overexposure is identified, specific actions must be taken to reduce worker harm. In order for the State to ensure that the Program is effectively protecting workers, agricultural worker cholinesterase test results are transmitted to DPR, and OEHHA registers and provides outreach and consultation to the medical supervisors overseeing the workers' cases. These reporting and registration requirements sunset on January 1, 2027. AB 1440 extends the sunset on the reporting and registration requirements to January 1, 2030, so that the State can continue to effectively evaluate and manage the Program."

Arguments in Support

According to the American College of Obstetricians and Gynecologists, "Pesticide exposure is associated with serious health risks, including reproductive harm, birth defects, neurological damage, and other long-term health effects. The existing regulations, which require cholinesterase testing and reporting, are essential for monitoring and mitigating these risks among agricultural workers who handle pesticides. Extending these provisions ensures that workers remain protected and that medical supervisors can continue to provide necessary oversight in identifying and addressing pesticide-related health issues. By continuing to require employer agreements with medical supervisors, timely testing and reporting of cholinesterase levels, and rapid notification of potential pesticide exposure cases, AB 1440 upholds a critical public health safeguard. These measures are especially important for pregnant women and those of reproductive age, as exposure to pesticides can have devastating consequences for fetal development."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Senate Appropriations Committee analysis, enactment of the previous version of this bill would result in annual costs in the low hundreds of thousands of dollars for 2027 and 2028 for DPR and OEHHHA to continue administering program requirements for two years when those requirements would have otherwise sunset absent this bill.

VOTES:**ASM ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: 7-0-0**

YES: Connolly, Hadwick, Bauer-Kahan, Castillo, Lee, McKinnor, Papan

ASM APPROPRIATIONS: 14-0-1

YES: Wicks, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache, Ta, Tangipa

ABS, ABST OR NV: Sanchez

ASSEMBLY FLOOR: 79-0-0

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

SENATE FLOOR: 40-0-0

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNeerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

UPDATED

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